Government of Kerala
1976

Reg. No. KL/TV/13

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXI] Trivandrum, Wednesday, 31st March 1976 / 11th Chaithra 1898 [No. 213

GOVERNMENT OF KERALA

Public Works (Transport B) Department

NOTIFICATION

No. 41805/TB1/75/PW. *Dated, Trivandrum, 29th March 1976.*

S. R. O. No. 300/76.—The following draft of an amendment to the Kerala Motor Vehicles Rules, 1961, which the Government of Kerala propose to make in exercise of the powers conferred by section 68 of the Motor Vehicles Act, 1939 (Central Act IV of 1939) is hereby published for general information as required by sub-section (1) of section 133 of the said Act.

Notice is hereby given that the said draft will be taken up for consideration on or after 1-5-1976. Objections or suggestions, if any, that may be received from any person with respect to the said draft within the period specified above, will be considered by the Government. Objections or suggestions shall be addressed to the Special Secretary to Government, Public Works (Transport B) Department, Secretariat, Trivandrum.

33/1387/MC.

DRAFT AMENDMENTS

In the said Rules,—

(1) for rule 4, the following shall be substituted namely:—

"4. *Licensing Authority*.—The Regional Transport Officer of the region, shall be the Licensing Authority for that region;

The Joint Regional Transport Officer attached to the Regional Transport Office shall be the Additional Licensing Authority;

The Motor Vehicles Inspector attached to the Regional Transport Office, and in the offices where there are more than one Motor Vehicles Inspector, the senior most Motor Vehicles Inspector attached to the office, shall be the Assistant Licensing Authority. The Motor Vehicles Inspector in charge of the Unit Office shall be the Assistant Licensing Authority within his jurisdiction. The Additional Licensing Authority and the Assistant Licensing Authority shall exercise the powers of the Licensing Authority subject to control and supervision by the Licensing Authority and subject to the conditions or restrictions as may be specified by the Licensing Authority from time to time;

The Regional Transport Officer (Nationalised Sector) shall be the Licensing Authority in respect of drivers of the State Transport Undertakings".

(2) in sub rule (9) of rule 26, for the words "Transport Commissioner" the words "Deputy Transport Commissioner of the concerned Zone" shall be substituted.

(3) in sub rule (1) of rule 32, for the words "District Collector of the concerned District", the words "Deputy Transport Commissioner of the concerned Zone" shall be substituted.

(4) in sub rule (1) of rule 33, for the words "District Collector of the District concerned", the words "Deputy Transport Commissioner of the concerned Zone" shall be substituted.

(5) in sub rule (2) of rule 35, for the words "District Collector" the words "Deputy Transport Commissioner of the concerned Zone" shall be substituted.

(6) for rule 59, the following shall be substituted namely:—

"59. *Licensing Authority*.—The Regional Transport Officer of the region wherein the applicant for the conductor's licence resides shall be the Licensing Authority;

the Joint Regional Transport Officer attached to the Regional Transport Office shall be the Additional Licensing Authority;

the Motor Vehicles Inspector attached to the Regional Transport Office, and in the offices where there are more than one Motor Vehicles Inspector, the senior most Motor Vehicles Inspector attached to the office, shall be the Assistant Licensing Authority. The Motor Vehicles Inspector in charge of the Unit Office shall be the Assistant Licensing Authority within his jurisdiction. The Additional Licensing Authority and the Assistant Licensing Authority shall exercise the powers of the Licensing Authority subject to control and supervision by the Licensing Authority and subject to the conditions or restrictions as may be specified by the Licensing Authority from time to time.

the Regional Transport Officer (Nationalised Sector) shall be the Licensing Authority in respect of conductors of the State Transport Undertakings".

(7) in sub rule (1) of rule 81, for the words "District Collector of the District concerned", the words "Deputy Transport Commissioner of the concerned Zone" shall be substituted.

(8) in clause (a) of sub-rule (2) of rule 81, for the words "District Collector of the District concerned", the words "Deputy Transport Commissioner of the concerned Zone" shall be substituted.

(9) for rule 102, the following shall be substituted, namely:—

"102. *Registering Authority*.—The Regional Transport Officer of the region shall be the Registering Authority in respect of the vehicles normally kept in the region;

the Joint Regional Transport Officer attached to the Regional Transport Office shall be the Additional Registering Authority;

the Motor Vehicles Inspector attached to the Regional Transport Office, and in the offices where there are more than one Motor Vehicles Inspector, the senior most Motor Vehicles Inspector attached to the office, shall be the Assistant Registering Authority; The Motor Vehicles Inspector in charge of the Unit Office shall be the Assistant Registering Authority within his jurisdiction. The Additional Registering Authority and the Assistant Registering Authority shall exercise the powers of the Registering Authority subject to the control and supervision by the Registering Authority and subject to the conditions or restrictions as may be specified by the Registering Authority from time to time.

The Regional Transport Officer (Nationalised Sector) shall be the Registering Authority in respect of the vehicles of the State Transport Undertakings".

(10) in rule 132, for the words "Transport Commissioner", the words "Deputy Transport Commissioner of the concerned Zone" shall be substituted.

(11) in sub-rule (1) of rule 143, for the words "District Collector of the concerned district" the words "Deputy Transport Commissioner of the concerned Zone" shall be substituted.

(12) The existing rule 150 shall be renumbered as sub-rule (1) of that rule and after sub-rule (1) as so renumbered the following shall be inserted, namely:—

"(2) In respect of matters relating to the vehicles of the State Transport Undertakings, the Regional Transport Officer (Nationalised Sector) shall exercise the powers and perform the functions of the Secretary to the Regional Transport Authority subject to such conditions or restrictions as may be specified by the Regional Transport Authority from time to time".

(13) for rule 165, the following shall be substituted, namely:—

"165. *State Transport Authority—Secretary to the State Transport Authority.*—

(1) The Senior Deputy Transport Commissioner shall be the Secretary to the State Transport Authority and shall be its Executive Officer.

(2) The Assistant Transport Commissioner attached to the Transport Commissioner's Office shall exercise such powers and perform such functions of the Secretary to the State Transport Authority, as may be delegated to him by the State Transport Authority and subject to such conditions or restrictions as may be specified by the State Transport Authority from time to time.

(3) In respect of matters relating to the State Transport Undertakings, the Regional Transport Officer (Nationalised Sector) shall exercise the powers and perform the functions of the Secretary, State Transport Authority, subject to such conditions or restrictions as may be specified by the State Transport Authority from time to time",

(14) for rule 418, the following shall be substituted, namely:—

"418. *Motor Vehicles Department—Constitution.*—For the purpose of section 133-A of the Motor Vehicles Act, 1939, there will be a Motor Vehicles Department in the State with the Transport Commissioner as the Head of the Department. The Joint Transport Commissioner, Senior Deputy Transport Commissioner, Deputy Transport Commissioners, Assistant Transport Commissioner, Regional

Transport Officers, Joint Regional Transport Officers, Personal Assistants to the Deputy Transport Commissioners, Motor Vehicle Inspectors and Assistant Motor Vehicle Inspectors and all other officers who may, from time to time, be appointed for the purpose of the said section, shall be regarded as Officers of the Motor Vehicles Department and shall exercise the powers and perform the functions/duties assigned to them from time to time under the Motor Vehicles Act, 1939 and the Rules and Notifications issued thereunder. They shall carry out the instructions and orders issued by the Transport Commissioner from time to time".

By order of the Governor,

T. V. SWAMINATHAN,
Special Secretary to Government.

Explanatory Note

(This is not part of the notification but is intended to bring out its main purport).

In G. O. Ms. 172/75/PW dated 9-9-1975 regarding the reorganisation of the Motor Vehicles Department, Government have approved the proposals made by the Transport Commissioner to take away the appellate powers now vested with the District Collectors and confer them on the Zonal Deputy Transport Commissioners of the Motor Vehicle Department.

There are certain powers under the Kerala Motor Vehicles Rules, 1961 now exercised by the Transport Commissioner, which are also to be conferred on the Zonal Deputy Transport Commissioners.

The proposal to constitute a separate Unit under an officer of the rank of a Regional Transport Officer to be in charge of the Nationalised Sector (relating to State Transport Undertaking of Kerala) has also been approved by Government. In the Government Order dated 9-9-1975 referred to above, it has been ordered that the Regional Transport Officer (Nationalised Sector) will be responsible for the proper enforcement of the laws relating to motor vehicles and all connected matters in respect of Nationalised Sector. To enable the Regional Transport Officer (Nationalised Sector) to exercise the powers and perform the functions of the Licensing Authority, Registering Authority and Secretary of the Transport Authorities in respect of matters relating to the vehicles of the State Transport Undertakings it is necessary to make suitable amendments to the existing provisions contained in the Kerala Motor Vehicles Rules, 1961.

In the same Government Order dated 9-9-1975, Government have sanctioned the creation of Unit Offices at four important centres in the State under the charge of a Motor Vehicles Inspector for attending to routine items relating to licensing of drivers and conductors, registration of motor vehicles and other ancillary matters, for the convenience of the public. For this purpose, the Motor Vehicle Inspectors in charge of the Unit Office are to be vested with the powers of the Licensing Authority and Registering Authority within their jurisdiction, by making required amendments in the provisions of the Kerala Motor Vehicles Rules, 1961.

As per Government Order dated 9-9-1975 referred to above, the present post of Secretary, State Transport Authority is upgraded and designated as Senior Deputy Transport Commissioner. He is also required to continue to function as Secretary, State Transport Authority. The statistical wing of the department is also placed under him. He is also required to function as Liaison Officer for careful and sustained action on all matters concerned with the conduct of cases, writ petitions etc., including references before the State Transport Appellate Tribunal. In view of the increasing volume of work in the office of the State Transport Authority and the additional responsibilities given to the Senior Deputy Transport Commissioner, it is deemed necessary to provide suiatble assistance for him in the performance of the duties as executive officer of the State Transport Authority. It is, therefore, deemed necessary that the Assistant Transport Commissioner attached to the Transport Commissioner's Office is vested with the powers of the Secretary, State Transport Authority, subject to the control and supervision by the Secretary, State Transport Authority, and subject to such conditions or restrictions as may be specified by the State Transport Authority from time to time.

During the initial stages of the working of the Motor Vehicles Department, the Member, Board of Revenue in charge of the Agricultural Income Tax and Sales Tax Department was also the ex-*Officio* Transport Commissioner and there were no officers of the Motor Vehicles Department to supervise and control the working of the Regional Transport Officers and their subordinates. The Deputy Commissioners of Agricultural Income Tax and Sales Tax were, therefore, empowered to function as controlling officers over the Regional Transport Officers. For the co-ordinated working of the officers of the Agicultural Income Tax and Sales Tax Departments with the officers of the Motor Vehicles Department specified categories of the former department were also appointed as officers of the Motor Vehicles Department by making suitable provisions in Rule 413 of the Kerala Motor Vehicles Rules, 1961. With the reorganisation of the Motor Vehicles Department, Government have in

G. O. Ms. 178/75/PW dated 18-9-1975 ordered that the control exercised by the officers of the Agricultural Income Tax and Sales Tax Department over the officers of the Motor Vehicles Department will be withdrawn and vested with the officers of the Motor Vehicle Department. In view of the changes brought about by the reorganisation of the Motor Vehicles Department, it is not deemed necessary to continue the officers of the Agricultural Income Tax and Sales Tax Department as officers of the Motor Vehicle Department though they may continue to exercise the powers for stopping and checking of vehicles as provided for in the other rules in the Kerala Motor Vehicles Rules, 1961.

The amendments are intended to achieve the above object.

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EXTRAORDINARY

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GOVERNMENT OF KERALA

Taxes (B) Department

NOTIFICATION

G.O. Ms. No. 42/76/TD. *Dated, Trivandrum, 31st March, 1976.*

S. R. O. No. 368/76.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Kerala Tax on Employment Act, 1976 (14 of 1976), the Government of Kerala hereby appoint the first day of April, 1976 as the date on which the said Act shall come into force.

By order of the Governor,

J. S. JESUDHASAN,
Secretary to Government.

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33/1403/MC.

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GOVERNMENT OF KERALA

Revenue (N) Department

NOTIFICATION

No. 33594/N1/75/RD. *Dated, Trivandrum, 31st March, 1976.*

S. R. O. No. 369/76.—Under sub-section (3) of section 72B of the Kerala Land Reforms Act, 1963 (1 of 1964), the Government of Kerala hereby allow a further period of three months from 31-3-1976 within which any cultivating tenant entitled to assignment of the right, title and interest in respect of a holding or part of a holding under sub-section (1) of the said section may apply to the Land Tribunal for such assignment to him.

By order of the Governor,

S. PADMAKUMAR,

Special Secretary to Government,
(Revenue).

33/1404/MC.

Explanatory Note

(This is not part of the Notification but is intended to make its purpose clear).

Section 72B of the Kerala Land Reforms Act lays down that any cultivating tenant entitled to assignment of the right, title and interest in respect of a holding or part of a holding under sub-section (1) may apply to the Land Tribunal within whose jurisdiction such holding or part is situated within two years from the date of vesting of such right, title and interest in the Government under section 72, or such further time as may be allowed by the Government in this behalf for such assignment to him. 1st January 1970 was notified as the date on which tenanted holdings shall vest in the Government under section 72. The time of two years allowed for tenants to apply for assignment of landlords rights, title and interest by the Act was extended by one year upto 31-12-1972 by Notification No. 60996/N1/71/RD dated 24-12-1971 published as S. R. O. No. 503/71 and for a further period of one year upto 31-12-1973 by Notification as S. R. O. No. 700/72, and for another period of one year upto 31-12-1974 by Notification No. 64548/N1/73/RD dated 26-12-1973 published as S. R. O. No. 774/73 and for another period of one year upto 31-12-1975 by Notification No. 61486/N1/74/RD dated 18-12-1974 published as S. R. O. No. 950/74, and for another period of three months from 31-12-1975 by Notification No. 33594/N1/75/RD dated 30-12-1975. On a rough estimate there are 25 lakhs of cases to be settled under section 72. But only about 22,21,247 applications have been filed till the end of February, 1976. It is considered desirable that more tenants should be enabled to make voluntary applications for the assignment of landlords rights etc., by extending the time allowed for such application. A further period of three months is proposed to be allowed. The Notification is intended to achieve the above objective.

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1976

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GOVERNMENT OF KERALA

Public Works (D) Department

NOTIFICATIONS

(1)

No.18893/D2/76/PW. *Dated, Trivandrum, 27th March 1976.*

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution, the President has in notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962); in relation to the acquisition of lands for the purpose of the Union, in the Kerala State;

And whereas it appears to the Government of Kerala that the lands specified in the Schedule below is needed or is likely to be needed for a public purpose, to wit for the formation of Block 10 B of New National Highway, 47 (Block No. 10 B), notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 3 (1) of the said Act.

Under sub-section (4) of section 19 of the said Act, the Government direct that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to this case.

ഭരണഘടന 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡത്താൽ നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി, യൂണിയന്റെ ആവശ്യങ്ങൾക്കായി കേരള സംസ്ഥാനത്തിന് ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ചിടത്തോളം 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്)

പ്രകാരം കേന്ദ്ര ഗവൺമെൻറിൻെറ പ്രവർത്തികൾ 31.5.1963-ാം തീയതിയിലെ 2/4/63/Judl. II-ാം നമ്പർ പരസ്യപ്രകാരം കേരള ഗവൺമെൻറിനെ ആ ഗവൺമെൻറിൻെറ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കയാലും;

താഴെ കാണിച്ചിരിക്കുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുളള ഭൂമി ഒരു പൊതു ആവശ്യത്തിന്, അതായത് നാഷണൽ ഹൈവേ 47-ാം നമ്പറിൻെറ രൂപീകരണത്തിന് ആവശ്യമുണ്ടെന്നോ, ആവശ്യമുണ്ടാകാനിടയുണ്ടെന്നോ കേരള ഗവൺമെൻറിനു തോന്നുന്നതിനാലും അതിനുളള നോട്ടീസ് അതുസംബന്ധിക്കുന്ന എല്ലാവർക്കും മേപ്പടി ആക്ററ് 3 (1) എന്ന വകുപ്പിലെ വ്യവസ്ഥകൾ അനുസരിച്ച് ഇതിനാൽ നൽകിയിരിക്കുന്നു.

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21-ാം ആക്ററ്) 19 വകുപ്പ് 4-ാം ഉപവകുപ്പുപ്രകാരം പ്രസ്തുത സംഗതിയുടെ അടിയന്തിരസ്ഥിതി പരിഗണിച്ച് ടി ആക്ററ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ വിവരിച്ചിരിക്കുന്ന ഭൂമിക്ക് ബാധകമല്ലെന്നും ഗവൺമെൻറ് ഇതിനാൽ നിർദ്ദേശിക്കുന്നു.

SCHEDULE

District.—Palghat.

Taluk.—Alathur.

Village.—Vadakkanchery.

Amsom.—Ayakkad.

Survey No.—145K/9 *Description*—UD *Extent in hectare*—0.0200

(2)

No. 18894/D2/76/PW. *Dated, Trivandrum, 27th March 1976.*

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution, the President has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962), in relation to the acquisition of lands for the purpose of the Union, in Kerala State;

And whereas it appears to the Government of Kerala that the lands specified in the schedule below are needed or are likely to be needed for a public purpose to wit, for the formation of Block 14 B of New National Highway, 47 (Block No. 14B), notice to that effect is hereby given to all whom it may concern, in accordance with the provisions of Section 3 (1) of the said Act.

Under sub-section 4 of section 19 of the said Act, the Government direct that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to this case.

ഭരണഘടന 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡത്താൽ നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി യൂണിയന്റെ ആവശ്യങ്ങൾക്കായി കേരള സംസ്ഥാനത്തിന് ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ചിടത്തോളം 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം കേന്ദ്ര ഗവൺമെന്റിന്റെ പ്രവർത്തികൾ 31-5-1963-ാം തീയതിയിലെ 2/4/63 ജുഡീഷ്യൽ 2-ാം നമ്പർ പരസ്യപ്രകാരം കേരളഗവൺമെന്റിനെ ആ ഗവൺമെന്റിന്റെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കയാലും;

താഴെ കാണിച്ചിരിക്കുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമി ഒരു പൊതു ആവശ്യത്തിന് അതായത് നാഷണൽ ഹൈവേ 47-ാം നമ്പറിന്റെ രൂപീകരണത്തിന് ആവശ്യമുണ്ടെന്നോ ആവശ്യമുണ്ടാകാനിടയുണ്ടെന്നോ കേരള ഗവൺമെന്റിന് തോന്നുന്നതിനാലും അതിനുള്ള നോട്ടീസ് അതുസംബന്ധിക്കുന്ന എല്ലാവർക്കും ടി ആക്ട് 3 (1) എന്ന വകുപ്പിലെ വ്യവസ്ഥകൾ അനുസരിച്ച് ഇതിനാൽ നൽകിയിരിക്കുന്നു.

1961 ലെ കേരളസ്ഥലമെടുപ്പ് ആക്റ്റ് (1962 ലെ 21-ാം ആക്റ്റ്) 19-ാം വകുപ്പ് 4-ാം ഉപവകുപ്പു പ്രകാരം പ്രസ്തുത സംഗതിയുടെ അടിയന്തിരസ്ഥിതി പരിഗണിച്ച് ടി ആക്ട് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെപ്പട്ടികയിൽ വിവരിച്ചിരിക്കുന്ന ഭൂമിക്ക് ബധകമല്ലെന്നും ഗവൺമെന്റ് ഇതിനാൽ നിർദ്ദേശിച്ചിരിക്കുന്നു.

SCHEDULE

District—Palghat. *Taluk*—Alathur.

Sl. No.	*Survey No.*	*Description*	*Extent in hectare.*
1.	145g/20	U D	0.0600
2.	145g/21	U D	0.0400
		Total	0.1000

By order of the Governor,

N. R. AUGUSTINE,
Joint Secretary to Government.

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GOVERNMENT OF KERALA

Law (Legislation-A) Department

NOTIFICATION

No. 5990-Leg (A)2/76/Law.

Dated, Trivandrum, 31*st March* 1976 / 11*th Chaithra,* 1898.

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 31st day of March, 1976.

By order of the Governor,
K. VISWANATHAN NAIR,
Additional Law Secretary.

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33/1396/MC.

ACT 20 OF 1976

THE KERALA APPROPRIATION (VOTE ON ACCOUNT) ACT, 1976

An Act to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of a part of the financial year commencing on the first day of April, 1976.

Preamble.—WHEREAS it is necessary to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Kerala for the services of a part of the financial year commencing on the first day of April, 1976;

BE it enacted in the Twenty-seventh Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (Vote on Account) Act, 1976.

2. *Withdrawal of Rs. 220,89,86,300 from and out of the Consolidated Fund of the State of Kerala for the financial year commencing on the first day of April, 1976.*—From and out of the Consolidated Fund of the State of Kerala there may be paid and applied sums not exceeding those specified in column (3) of the Schedule amounting in the aggregate to the sum of two hundred and twenty crores, eighty-nine lakhs, eighty-six thousand and three hundred rupees towards defraying the several charges which will come in course of payment during the financial year commencing on the first day of April, 1976, in respect of the services and purposes specified in column (2) of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala by this Act shall be appropriated for the services and purposes specified in the Schedule in relation to the said year.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)		(3)		
			Sums not exceeding		
No. of Vote	*Services and purposes*		*Voted by the Assembly*	*Charged on the Consolidated Fund*	*Total*
			Rs.	Rs.	Rs.
I	State Legislature ..	Revenue	16,85,900	23,000	17,08,900
II	Heads of States, Ministers and Headquarters Staff ..	Revenue	1,08,12,800	22,66,100	1,30,78,900
III	Administration of Justice ..	Revenue	1,24,68,800	14,02,000	1,38,70,800
IV	Elections ..	Revenue	25,21,300	3,300	25,24,600
V	Agricultural Income-tax and Sales-tax ..	Revenue	1,08,65,600	11,700	1,08,77,300
VI	Land Revenue ..	Revenue	2,23,52,800	79,900	2,24,32,700
VII	Stamps and Registration fees ..	Revenue	74,07,300	300	74,07,600
VIII	Excise ..	Revenue	50,28,200	5,000	50,33,200
IX	Taxes on Vehicles ..	Revenue	18,13,500	300	18,13,800
	Debt Charges ..	Revenue	..	12,32,66,000	12,32,66,000
X	Treasury and Accounts ..	Revenue	66,97,500	..	66,97,500
XI	District Administration and Miscellaneous ..	Revenue	87,20,000	15,67,000	1,02,87,000
XII	Police ..	Revenue	6,13,52,900	6,700	6,13,59,600
XIII	Jails ..	Revenue	37,66,300	3,300	37,69,600

(1)	(2)		(3)		
No. of Vote	*Services and purposes*		*Sums not exceeding*		
			Voted by the Assembly	*Charged on the Consolidated Fund*	*Total*
			Rs.	Rs.	Rs.
XIV	Stationery and Printing and other administrative services ..	Revenue	1,17,39,100	..	1,17,39,100
XV	Public Works ..	Revenue	7,46,27,000	1,18,300	7,47,45,300
	..	Capital	2,07,38,500	67,000	2,08,05,500
XVI	Pensions and miscellaneous ..	Revenue	4,98,50,800	11,09,400	5,09,60,200
XVII	Education, Art and Culture ..	Revenue	48,43,94,600	4,00,300	48,47,94,900
	..	Capital	92,79,300	..	92,79,300
XVIII	Medical ..	Revenue	9,71,74,000	6,000	9,71,80,000
	..	Capital	23,07,200	1,000	23,08,200
XIX	Family Planning ..	Revenue	90,91,300	..	90,91,300
		Capital	1,81,000	..	1,81,000
XX	Public Health ..	Revenue	1,23,59,500	..	1,23,59,500
XXI	Public Health Engineering ..	Revenue	87,68,900	1,700	87,70,600
	..	Capital	2,30,77,500	3,300	2,30,80,800
XXII	Housing ..	Revenue	56,81,000	1,33,000	58,14,000
	..	Capital	58,59,200	17,000	58,76,200
XXIII	Urban Development ..	Revenue	27,33,100	..	27,33,100
	..	Capital	1,66,700	..	1,66,700

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XXIV	Information and Publicity ..	Revenue	8,76,500	..	8,76,500
XXV	Labour and Employment ..	Revenue	76,93,800	300	76,94,100
	..	Capital	33,700	..	33,700
XXVI	Social Welfare including Harijan Welfare ..	Revenue	4,26,86,700	20,300	4,27,07,000
	..	Capital	13,29,300	..	13,29,300
XXVII	Famine ..	Revenue	20,00,000	..	20,00,000
XXVIII	Co-operation ..	Revenue	73,04,900	3,300	73,08,200
	..	Capital	2,26,29,200	..	2,26,29,200
XXIX	Miscellaneous Economic Services ..	Revenue	4,61,49,200	300	4,61,49,500
	..	Capital	1,66,600	..	1,66,600
XXX	Agriculture ..	Revenue	4,64,82,900	300	4,64,83,200
	..	Capital	3,12,13,100	66,700	3,12,79,800
XXXI	Food ..	Revenue	41,42,300	..	41,42,300
	..	Capital	1,99,58,000	1,66,700	2,01,24,700
XXXII	Animal Husbandry ..	Revenue	2,02,32,700	3,300	2,02,36,000
	..	Capital	2,38,300	..	2,38,300
XXXIII	Dairy ..	Revenue	89,38,800	..	89,38,800
		Capital	6,70,000	..	6,70,000
XXXIV	Fisheries ..	Revenue	92,74,600	5,000	92,79,600
	..	Capital	30,51,700	..	30,51,700
XXXV	Forest ..	Revenue	2,48,67,000	7,200	2,48,74,200
	..	Capital	36,50,400	300	36,50,700
XXXVI	Community Development ..	Revenue	2,34,67,700	300	2,34,68,000
	..	Capital	1,06,700	..	1,06,700

(1)	(2)		(3)		
			Sums not exceeding		
No. of Vote	*Services and purposes*		*Voted by the Assembly*	*Charged on the Consolidated Fund*	*Total*
			Rs.	Rs.	Rs.
XXXVII	Industries ..	Revenue	1,11,03,900	17,600	1,11,21,500
	..	Capital	2,27,64,300	100	2,27,64,400
XXXVIII	Irrigation ..	Revenue	2,50,91,000	700	2,50,91,700
	..	Capital	6,76,42,700	67,300	6,77,10,000
XXXIX	Power ..	Revenue	1,08,66,700	..	1,08,66,700
	..	Capital	1,44,00,000	..	1,44,00,000
XL	Port ..	Revenue	20,91,500	8,300	20,99,800
	..	Capital	30,91,700	..	30,91,700
XLI	Transport ..	Revenue	24,66,500	..	24,66,500
	..	Capital	58,00,000	..	58,00,000
XLII	Tourism ..	Revenue	18,07,800	..	18,07,800
	..	Capital	4,28,400	..	4,28,400
XLIII	Compensation and Assignments ..	Revenue	17,33,300	..	17,33,300
	Public Debt repayment ..	Capital	..	59,74,75,200	59,74,75,200
XLIV	Contingency Fund ..				
XLV	Miscellaneous Loans and Advances ..	Capital	1,06,78,000	..	1,06,78,000
	Total		148,06,51,500	72,83,34,800	220,89,86,300

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 2916/LA 4A/76. *Dated, Trivandrum,* 31*st March* 1976.

The Koodalmanickam Devaswom (Amendment) Bill, 1976 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under Rule 67 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/1401/MC.

THE KOODALMANICKAM DEVASWOM (AMENDMENT) BILL, 1976

A

BILL

to amend the Koodalmanickam Devaswom Act, 1971.

Preamble.—WHEREAS it is expedient to amend the Koodalmanickam Devaswom Act, 1971, for the purposes hereinafter appearing;

BE it enacted in the Twenty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Koodalmanickam Devaswom (Amendment) Act, 1976.

(2) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. *Substitution of new section for section 4.*—In the Koodalmanickam Devaswom Act, 1971 (7 of 1971) (hereinafter referred to as the principal Act), for section 4, the following section shall be substituted, namely:—

"4. *Composition of Committee.*—(1) The Committee shall consist of the following members, namely:—

(a) the District Collector, Trichur or, if he is not a person professing the Hindu religion, an officer professing the Hindu religion and not below the rank of Deputy Collector nominated by the District Collector, Trichur, in this behalf, *ex-officio*, who shall be the Chairman;

(b) the Administrator, *ex-officio;*

(c) the Kaimal;

(d) four persons professing the Hindu religion nominated by the Government.

(2) A person shall be disqualified for being nominated as a member under clause (d) of sub-section (1), if he is subject to any of the disqualifications mentioned in clauses (a), (b) and (c) of sub-section (3) of section 5.".

3. *Amendment of section 5.*—In section 5 of the principal Act,—

(a) in sub-section (1), for the word, brackets and letter "clause (f)", the word, brackets and letter "clause (d)" shall be substituted;

(b) for sub-section (2) the following sub-section shall be substituted, namely:—

"(2) A member nominated under clause (d) of sub-section (1) of section 4 may resign his office by giving notice in writing thereof to the Government and shall cease to be a member on his resignation being accepted by the Government.";

(c) in sub-section (3), the words "the Chairman or" shall be omitted;

(d) in sub-section (4), for the words "The Chairman or a member", the words "A member" shall be substituted.

4. *Amendment of section 6.*—In section 6 of the principal Act, for the proviso to sub-section (3), the following proviso shall be substituted, namely:—

"Provided that the period during which the committee remains superseded shall not have the effect of extending the maximum term of office of a member nominated under clause (d) of sub-section (1) of section 4 beyond a period of three years.".

5. *Substitution of new section for section 9.*—For section 9 of the principal Act, the following section shall be substituted, namely:—

"9. *No member other than Kaimal and Administrator entitled to remuneration.*—(1) The Kaimal shall be entitled to an honorarium of six thousand rupees per annum.

(2) No member of the Committee other than the Kaimal or the Administrator shall receive or be paid from out of the Temple Fund any salary or other remuneration except such travelling or daily allowances, if any, as may be prescribed.".

6. *Amendment of section 14.*—In section 14 of the principal Act, for the words, figures and brackets "Tahsildar or Assistant Commissioner of Hindu Religious and Charitable Endowments appointed under the Madras Hindu Religious and Charitable Endowments Act, 1951 (Madras Act XIX of 1951)", the words "Deputy Tahsildar" shall be substituted.

7. *Amendment of section 16.*—In section 16 of the principal Act, for the words, figures and brackets "Tahsildar or Assistant Commissioner appointed under the Madras Hindu Religious and Charitable Endowments Act, 1951 (Madras Act XIX of 1951)", the words "Deputy Tahsildar" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The administration, control and management of the Koodalmanickam Temple is now vested in the Koodalmanickam Devaswom Managing Committee constituted by the Government under section 4 of the Koodalmanickam Devaswom Act, 1971. In view of the deteriorating financial position of the Devaswom, it has become imperative to bring down the administrative expenses of the Devaswom. Accordingly, it is proposed to reduce the number of the members of the Managing Committee and to fix the honorarium of the Thachudaya Kaimal as Rs. 6,000 per annum instead of Rs. 3,800 and 2024 paras of paddy per annum. It is also considered necessary to make the District Collector, Trichur or, if he is not a person professing the Hindu religion an officer professing the Hindu religion and not below the rank of Deputy Collector nominated by the District Collector, the Chairman of the Managing Committee instead of the Thachudaya Kaimal.

2. According to section 14 of the Act, an officer not below the rank of Tahsildar or Assistant Commissioner, Hindu Religious and Charitable Endowments Department, shall be the Administrator of the Devaswom. It is considered that it would be sufficient if an officer of the rank of Deputy Tahsildar functions as the Administrator. Appointment of such an officer would also reduce the administrative expenses of the Devaswom. It is therefore proposed to amend the Act so as to enable the appointment of an officer not below the rank of Deputy Tahsildar as Administrator of the Devaswom.

3. The Bill is intended to achieve the above objects.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-section (2) of section 9 proposed to be substituted by clause 5 of the Bill seeks to empower the Government to prescribe the travelling and daily allowances of the members of the Koodalmanickam Devaswom Managing Committee. This is a matter of an administrative nature. Further, there is similar provision in the existing sub-section (2) of section 9. Therefore, the delegation of legislative power is of a normal character.

V. EACHARAN

GPT. 2/1400/MC.